

EXHIBIT 1

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

**PATTY BEALL, MATTHEW MAXWELL,
DAVID GRAVLEY, TALINA MCELHANY,
KELLY HAMPTON, KEVIN TULLOS,
CASEY BROWN, JASON BONNER,
ANTHONY DODD, ILENE MEYERS,
TOM O'HAVER, JOY BIBLES, DON
LOCCHI AND MELISSA PASTOR ,
Individually and on behalf of all others
similarly situated;**

Plaintiffs, § 2:08-cv-422 TJW

TYLER TECHNOLOGIES, INC. AND EDP ENTERPRISES, INC.

Defendants.

PLAINTIFF'S DESIGNATION OF EXPERT WITNESSES

TO: TYLER TECHNOLOGIES, INC., and EDP ENTERPRISES INC., by and through their attorney of records, Paulo B. McKeeby, *MORGAN, LEWIS & BOCKIUS, L.L.P.*, 1717 Main Street, Suite 3200, Dallas, Texas 75201-7347

COMES NOW, Plaintiffs, **PATTY BEALL, MATTHEW MAXWELL, DAVID GRAVLEY, TALINA MCELHANY, KELLY HAMPTON, KEVIN TULLOS, CASEY BROWN, JASON BONNER, ANTHONY DODD, ILENE MEYERS, TOM 'OHAVER, JOY BIBLES, DON LOCCHI AND MELISSA PASTOR**, Individually and on behalf of all others similarly situated, and files this, their designation of expert witnesses and designates the following parties as expert witnesses who might be called by the Plaintiffs to testify at the time of trial in this case:

RETAINED EXPERT WITNESSES

1. Scott D. Hakala, Ph.D., CFA
CBIZ Valuation Group, LLC
4851 LBJ Freeway, 8th Floor
Dallas, TX 75244
(972)620-0400

Dr. Hakala is expected to testify regarding the wages earned by Plaintiffs and comparable wages of similar job classifications and those involving more professional and technical positions.

Dr. Hakala may also be called to rebut the testimony of Defendants' experts. Dr. Hakala has not provided a deposition in this case; however, in the event he is deposed, Plaintiffs incorporate herein all impressions and opinions he may offer during his deposition or at the time of trial.

A report prepared by Dr. Hakala is attached hereto as ***Exhibit A***. This report contains the following: (1) a complete statement of all opinions Dr. Hakala will express as well as the basis and reasons for them; (2) the data or other information considered by Dr. Hakala in forming them; (3) any exhibit that will be used to summarize or support them; (4) Dr. Hakala's qualifications, including a list of all publications authored in the previous ten years; (5) a list of all other cases in which, during the previous four years, Dr. Hakala has testified as an expert at trial or by deposition; and (6) a statement of the compensation to be paid for the study and testimony in the case.

- See attached Dr. Hakala's *Curriculum Vitae*.
2. Dr. Brian T. Farrington
Attorney at Law
P.O. Box 330088
Fort Worth, TX 76163
(214)373-0435

Dr. Farrington is expected to testify regarding whether the duties of Plaintiffs involved the exercise of discretion of independent judgment.

Dr. Farrington may also be called to rebut the testimony of Defendants' experts. Dr. Farrington has not provided a deposition in this case, however, in the event he is deposed, Plaintiffs incorporate herein all impressions and opinions he may offer during his deposition or at the time of trial.

A report prepared by Dr. Farrington is attached hereto as ***Exhibit B***. This report contains the following: (1) a complete statement of all opinions Dr. Farrington will express as well as the basis and reasons for them; (2) the data or other information considered by Dr. Farrington in forming them; (3) any exhibit that will be used to summarize or support them; (4) Dr. Farrington's qualifications, including a list of all publications authored in the previous ten years; (5) a list of all

other cases in which, during the previous four years, Dr. Farrington has testified as an expert at trial or by deposition; and (6) a statement of the compensation to be paid for the study and testimony in the case.

- See attached Dr. Farrington's *Curriculum Vitae*.

3. Mr. Glenn Perry
Sloan, Bagley, Hatcher & Perry Law Firm
101 E. Whaley Street
P.O. Box 2909
Longview, Texas 75606
(903)757-7000

Mr. Perry is expected to testify regarding the reasonableness and necessity of the hourly fees and expenses charged and claimed by Plaintiff's Counsel and the normal hourly fees charged by counsel in the East Texas area of Texas with similar experience:

Without vouching for the validity of their respective opinions and/or testimony, Plaintiffs reserve the right to call and solicit testimony (including opinion testimony) from any person listed and/or disclosed as an expert witness by any Defendant herein.

Plaintiff also reserves the right to call as witnesses all persons identified as persons having knowledge of relevant facts in all depositions taken by Plaintiff or Defendant in this cause of action and listed in discovery by Defendant, as well as any rebuttal or impeachment witnesses who are not anticipated at this time.

Plaintiff also incorporates herein by reference all depositions; depositions on written questions; documents and exhibits attached to or referenced in all depositions; and all documents produced by any party hereto in disclosures and/or discovery. Any opinions and bases for opinions discussed in deposition(s) are incorporated herein.

Plaintiff further reserves the right through cross-examination or deposition, to call any expert witness identified herein by the Defendant.

Plaintiff reserves the right to withdraw the designation of any expert witness and to aver positively that such previously designated expert will not be called as an expert witness at trial and to redesignate same as a consulting expert, who cannot be called by opposing counsel.

Plaintiff reserves the right to call any undesignated expert witnesses in rebuttal, whose identities and testimony cannot reasonably be foreseen until Defendant has presented their evidence at trial.

Plaintiff reserves the right to elicit any expert testimony and/or lay opinion testimony that would assist the jury in determining material issues of fact and that would not violate the Federal Rules of Civil Procedure and/or the Federal Rules of Evidence.

Plaintiff reserves all additional rights it may have with regard to expert witnesses and testimony under the Federal Rules of Civil Procedure, the Federal Rules of Evidence, case law and rulings of this Honorable Court.

Plaintiff reserves the right to elicit expert opinion from any of the designated fact witnesses within any area as to which such person has expertise.

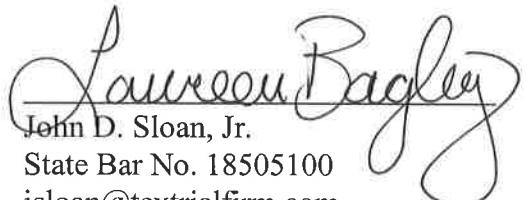
To the extent necessary, this expert designation should be considered a supplement to any outstanding or future discovery requests served on Plaintiff.

Discovery in this matter is still ongoing and Plaintiff reserves the right to supplement this designation if further discovery reveals the need for additional testimony.

This designation shall serve to supplement Plaintiff's Rule 26(a) disclosures, including the identification of individuals likely to have discoverable information regarding Plaintiff's claims or defenses, Answers to Interrogatories, and Responses to Requests for Production propounded to Plaintiff by any party inquiring as to expert witnesses.

Respectfully submitted,

SLOAN, BAGLEY, HATCHER & PERRY
LAW FIRM



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ATTORNEYS FOR PLAINTIFFS

CERTIFICATE OF SERVICE

I hereby certify that on this the 3rd day of September, 2010, a true and correct copy of this document was sent via electronic mail to the following:

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